

Amendments to the Claims

This listing of claims will replace all prior versions of the claims.

1. (Currently amended) A vector for plant transformation comprising (i) a T-DNA sequence comprising a sequence located between two direct repeats and (ii) a gene encoding a toxin gene, ~~and/or~~ a nucleotide sequence that interferes with DNA unwinding, or an antisense housekeeping gene wherein said gene encoding a toxin gene, ~~and/or~~ a nucleotide sequence that interferes with DNA unwinding or an antisense housekeeping gene is not located within said T-DNA sequence.
2. (Currently amended) The vector according to claim 1 30, wherein the gene encoding a toxin gene is selected from the group consisting of an RNase, a DNase, a phytotoxin, a diphtheria toxin, and a protease, ~~and an antisense sequence for a housekeeping gene.~~
3. (Canceled)
4. (Currently amended) The vector according to claim 1 31, wherein the nucleotide sequence that interferes with DNA unwinding is a sequence which binds a DNA binding protein.
5. (Previously presented) The vector according to claim 4, wherein the sequence which binds DNA binding proteins is a vir box of the sequence

5'TNCAATTGAAAY3' (SEQ ID NO:19) wherein N is any nucleotide and Y is a pyrimidine base nucleotide (T or C).

6. (Currently amended) The vector according to claim ~~1~~ 31, wherein the sequence which interferes with DNA unwinding is a sequence of 20-60 basepairs with a GC-content of more than 80%.

7. (Canceled)

8. (Currently amended) A method for obtaining a transgenic plant comprising transforming a plant cell with the vector of claim ~~1, 2, 4, 5 or 6~~, selecting a transformed cell, and producing a plant from the transformed cell.

9. (Currently amended) A plant host comprising the vector according to claim ~~1, 2, 4, 5, or 6~~.

10. (Canceled)

11. (Currently amended) A method for the transformation of plants comprising transforming a plant cell with the vector of claim ~~1, 2, 4, 5, or 6~~ and selecting a transformed cell.

12. (Previously presented) A method for producing a transgenic plant containing a polynucleotide of interest, the method comprising:

- (a) introducing into a plurality of plant cells a T-DNA vector comprising:
 - (i) a T-DNA sequence comprising a right border, a left border and the polynucleotide of interest positioned between the right border and left border, and
 - (ii) a non-T-DNA sequence comprising a barnase polynucleotide sequence encoding a barnase enzyme, wherein said non-T-DNA sequence is located beyond the left T-DNA border;
- (b) selecting a plant cell which comprises the T-DNA sequence and does not comprise the barnase polynucleotide sequence; and
- (c) regenerating a transgenic plant from the selected plant cell.

13. (Currently amended) The vector according to claim 2 32, wherein the housekeeping gene is selected from the group consisting of an ATP synthase gene, a cytochrome c gene, a pyruvate kinase gene, an aminoacyl transferase gene, a phosphate translocator gene, a dicarboxylate translocator gene, and a 2-oxo-glutarate translocator gene.

14. (Previously presented) A method for producing a transgenic plant containing a polynucleotide of interest, the method comprising:

- (a) introducing into a plurality of plant cells a T-DNA vector comprising:
 - (i) a T-DNA sequence comprising a right border, a left border and the polynucleotide of interest positioned between the right border and left border, and
 - (ii) a non-T-DNA sequence comprising a lethal polynucleotide sequence encoding a lethal polypeptide, wherein said non-T-DNA sequence is located beyond the left T-DNA border;
- (b) selecting a plant cell which comprises the T-DNA sequence and does not comprise the lethal polynucleotide sequence; and
- (c) regenerating a transgenic plant from the selected plant cell.

15. (Previously presented) The method of claim 14, wherein the lethal polypeptide is a ribonuclease.

16. (Previously presented) The method of claim 15, wherein the ribonuclease is barnase comprising an intron in the coding region.

17. (Previously presented) The method of claim 14, wherein the non-T-DNA sequence comprises a screenable marker and the method further comprises detection of the screenable marker in the plant cells.

18. (Previously presented) The method of claim 14, wherein the non-T-DNA sequence further comprises a screenable marker and the method further comprises detection of the screenable marker in the plant cells.

19. (Previously presented) The method of claim 18, wherein the screenable marker encodes β -glucuronidase.

20. (Previously presented) The method of claim 14, wherein the lethal polynucleotide sequence is within about 5 kb of the left border.

21. (Previously presented) An isolated T-DNA vector comprising a T-DNA sequence comprising a right border and a left border and a non-T-DNA sequence comprising a lethal polynucleotide sequence encoding a lethal polypeptide, wherein said non-T-DNA sequence is located beyond the left T-DNA border.

22. (Previously presented) The isolated T-DNA vector of claim 21, further comprising a polynucleotide of interest positioned between the right border and left border of the T-DNA sequence.

23. (Previously presented) The isolated T-DNA vector of claim 21, further comprising a selectable marker positioned between the right border and left border of the T-DNA sequence.

24. (Previously presented) The isolated T-DNA vector of claim 21, wherein the lethal polypeptide is a ribonuclease.

25. (Previously presented) The isolated T-DNA vector of claim 24, wherein the ribonuclease is Barnase.

26. (Previously presented) The isolated T-DNA vector of claim 25, wherein the Barnase has an intron in the coding region.

27. (Previously presented) The isolated T-DNA vector of claim 21, wherein the non-T-DNA sequence further comprises a screenable marker.

28. (Previously presented) The isolated T-DNA vector of claim 27, wherein the screenable marker encodes β -glucuronidase.

29. (Previously presented) The isolated T-DNA vector of claim 21, wherein the lethal polynucleotide sequence is within 5 kb of the left border.

30. (New) The vector of claim 1, wherein the vector comprises a gene encoding a toxin gene.

31. (New) The vector of claim 1, wherein the vector comprises a nucleotide sequence that interferes with DNA unwinding.

32. (New) The vector of claim 1, wherein the vector comprises an antisense housekeeping gene.